UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,687	06/12/2000	Robert Rosko	47004.000074	4829

21967	7590	01/07/2004

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EXAMINER
DINH, KHANH Q

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☐ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
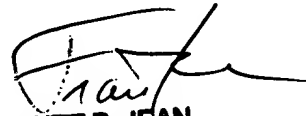
   NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *None*.

   Claim(s) objected to: *None*.

   Claim(s) rejected: *1-7 and 9-21*.

   Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____.

FRANTZ B. JEAN
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive (see Paper No. 20 and attachment).

In response to applicant's argument that Kirsch teaches away from the instant application's invention, the law of anticipation requires that a distinction be made between the invention described or taught and the invention claimed. It does not require that the reference "teach" what the subject patent teaches. Assuming that a reference is properly "prior art," it is only necessary that the claims under consideration "read on" something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or "fully met" by it. Kalman v. Kimberly-Clark Corp., 218 USPQ 789.

Kirsch discloses a method for accessing one of a plurality of remote service providers across a network via a single login to a host service provider (an Internet Service Provider connected to the Internet 14 fig.1), each of the plurality of remote service providers (16 fig. 1) being accessible through the host service provider, and each of the plurality service providers having separate login procedures requiring data comprising the host service provider (using an Internet Service Provider connected to the Internet 14 of fig.1, see col.5 lines 52-63) receiving the single login, the service provider having a universal session manager. For example, the client computer system for requesting a Web page by issuing a URL request through Internet to the server system, see abstract, fig. 1, col. 5, line 52 to col. 6, line 49 and col.7 line 11 to col. 8, line 44. In addition, Kirsch further teaches the universal session manager retrieving data from a validation database (using database 36 Fig. 2 for storing registration record of users, see col. 7, Line 43 to col. 8, line 20) based on the single login to the service provider, wherein the database is effective for accessing a remote service provider and is based at least in part on the received username and password. That is, login form using user identification and password, col.6 line 22 to col.7 line 19. Moreover, Kirsch further teaches transmitting data to the remote service provider and directing the user to the remote service provider (using redirection request, see col.6 lines 28-62), the universal session manager and the remote service provider exchanging the data to effect a two-sided authentication. For example, processing of a transaction T-2 over the server 34 of fig.2 to the remote server 22 of fig.2, see also fig.2, col.7 line 20 to col.8 line 63 and col. 10 lines 5-46 and the host service provider dir6cting the user to the remote service provider (using the direct-server, see col.6 line 50 to col.7 line 42).

Applicant is reminded that it is the claims that define the claimed invention, and it is claims , not specifications that are anticipated or unpatentable. Constant v. Advanced Micro-Devices Inc., 7 USPQ2d 1064.

Claims 2-6 and 9-21 are dependent on claims 1 and 7 and therefore are rejected under the same rationale set forth above to claims 1 and 7 and with other reasons set forth in Paper No. 20.